

IN THE CLAIMS:

Please cancel Claim 10.

Please amend Claim 1 as follows:

1. (Currently Amended) A closure cap comprising a shell having an end panel and a downwardly depending skirt terminating in a continuous terminal end, said closure cap further comprising:

a cylindrical, tamper evident band attached to said terminal end of said skirt by a plurality of frangible connectors;

said band including a top surface, a bottom surface, and inner and outer surfaces, wherein ~~at least a portion of~~ said top surface ~~is~~ includes portions that are downwardly tapered in the direction of said outer surface;

said inner surface including an inwardly extending bead;

said outer surface including a smooth, concave grooved notch therein, said notch being generally axially oppositely disposed relative to at least a portion of said bead.

2. (Original) The closure cap of Claim 1 wherein said downwardly tapered top surface slopes downwardly at an angle greater than 0 degrees.

3. (Original) The closure cap of Claim 1 wherein said downwardly tapered top surface slopes downwardly at an angle of at least approximately 6 degrees.

4. (Original) The closure cap of Claim 3 wherein said downwardly tapered top surface slopes downwardly at an angle of at least approximately 15 degrees.

5. (Currently Amended) The closure cap of Claim 1 wherein said frangible connectors are substantially uniform in width.

6. (Currently Amended) The closure cap of Claim 1 wherein the terminal skirt end and said band define a circumferential gap.

7. (Original) The closure cap of Claim 6 wherein said gap is of non-uniform height.

8. (Previously presented) The closure cap of Claim 7 wherein circumferential gap includes windows spaced between spaced apart band portions, said band portions including said top surfaces that are downwardly tapered in the direction of said outer surface.

9. (Original) The closure cap of Claim 8 wherein said frangible members connect said band to said skirt within said windows.

10. (Cancelled)

11. (Original) The closure of Claim 1 wherein the thickness of said band between said inner and outer surfaces is non-uniform.

12. (Original) The closure of Claim 10 wherein the thickness of said band between said inner and outer surfaces is non-uniform.

13. (Original) The closure cap of Claim 12 wherein the thickness of said band is at a minimum in the region near the top plane of said bead.

14. (Original) The closure cap of Claim 1 wherein at least said band is made of a plastic material.

15. (Original) The closure cap of Claim 14 is made of a thermoplastic material.

16. (Original) The closure cap of Claim 15 wherein said thermoplastic material comprises polypropylene or copolymers thereof.

17. (Original) The closure cap of Claim 16 wherein said thermoplastic material comprises an impact copolymer of polypropylene and at least one other polyolefin.

18. (Original) The closure cap of Claim 17 wherein said impact copolymer has an Izod impact notched at 23 degrees C of at least approximately 1.8 ft.-lb./in.

19. (Original) The closure cap of Claim 17 wherein said impact copolymer has a tensile strength at yield of approximately 2,900 to 3,700 psi, and a flexural modulus of approximately 130,000 to 160,000 psi.

20. (Original) The closure cap of Claim 16 wherein said material comprises a polypropylene homopolymer with an Izod Impact at 23° of approximately 0.6 to 2.0 ft. lb./in.

21. (Original) The closure cap of Claim 20 wherein said polypropylene homopolymer has a tensile strength at yield of approximately 4,400 to 5,700 psi and a flexural modulus of approximately 200,000 to 300,000 psi.